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6 Attorneys for *Specially Appearing* Defendant
BUMBO (PTY) LTD.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 WENDY D. WHITSON, etc., et al.

12 Plaintiff,

13 vs.

14 BUMBO, et al.,

15 Defendants.
16

Case No. CV-07-5597 MHP

DECLARATION OF ANTOINETTE
WAGENAAR IN SUPPORT OF
BUMBO (PTY) LTD.'S AMENDED
MOTION TO QUASH SERVICE
AND DISMISS FOR
INSUFFICIENT SERVICE OF
PROCESS AND LACK OF
PERSONAL JURISDICTION

Date: March 24, 2008

Time: 2:00 p.m.

Place: Courtroom of the Hon.
Marilyn Hall Patel

19 I, Antoinette Wagenaar, declare:

20 1. I am a Director of Bumbo (Pty) Ltd. This declaration is submitted in
21 support of Bumbo (Pty) Ltd.'s *amended* motion to quash service and dismiss for
22 insufficient service of process and lack of personal jurisdiction. I have personal
23 knowledge of the facts attested to in this declaration, except for those facts stated
24 upon information and belief, and, as to those facts, I believe them to be true. If
25 called upon to do so, I could and would competently testify to all matters contained
26 herein.

27 2. Bumbo (Pty) Ltd. is a private company which has been organized
28

DECLARATION OF ANTOINETTE WAGENAAR IN
SUPPORT OF BUMBO (PTY) LTD.'S AMENDED MOTION TO
QUASH SERVICE AND DISMISS

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1 under the laws of South Africa and has its principal place of business in Pretoria,
2 South Africa.

3 3. Bumbo (Pty) Ltd.'s one and only manufacturing plant and its
4 corporate headquarters/registered office are located in Pretoria, South Africa.

5 4. All employees of Bumbo (Pty) Ltd. are employed at its manufacturing
6 plant or corporate headquarters/registered office in Pretoria, South Africa.

7 5. I am employed at Bumbo (Pty) Ltd.'s corporate
8 headquarters/registered office at 212 Hardy Muller Street, Rosslyn 0200, Gauteng,
9 South Africa.

10 6. On January 25, 2008, I was informed that an unknown person was in
11 our reception area attempting to deliver a package.

12 7. I was handed the package but did not sign any documentation for the
13 unknown person acknowledging that I had received said package.

14 8. I am informed and believe that the person who delivered the package
15 did not introduce or identify himself.

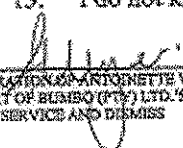
16 9. I am informed and believe that the person who delivered the package
17 did not identify himself as a Sheriff.

18 10. I am informed and believe that the person who delivered the package
19 did not explain the nature and contents of the package.

20 11. A letter from plaintiff's counsel, Jeremy R. Fietz, Esq., to Mr. Neil
21 Thuynsma dated January 18, 2008, accompanied the package. This letter stated
22 that the package had been delivered to Mr. Thuynsma via DHL International.

23 12. The unknown person delivering the package allowed us to make a
24 copy of this letter. On the front of my copy of the letter, I wrote notes regarding
25 the delivery of this package for my file. A true and correct copy of my copy of this
26 letter is attached hereto as Exhibit "A."

27 13. I do not know, nor had I ever heard the name "Neil Thuynsma,"
28


DECLARATION OF ANTOINETTE WAGENAAR IN
SUPPORT OF BUMBO (PTY) LTD.'S AMENDED MOTION TO
QUASH SERVICE AND DISMISS

1 before reading the letter attached as Exhibit "A."

2 14. Only after I opened the package did I discover that it contained a
3 summons, complaint and reassignment order in the above-captioned action.

4 I declare under penalty of perjury under the laws of the United States of
5 America that the foregoing is true and correct.

6 Executed this 16 day of February, 2008 at Pretoria, South Africa.

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10 Antoinette Wagenaar
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EXHIBIT A

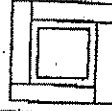
To: J Klopfer (02) 0865100614 A 1/2
Date: 25 Jan 2008
(18) Pages

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January 18, 2008

Via DHL International Courier

Neil Thuynsma
275 Memosa Street
Blackheath
Johannesburg 2118
Republic of South Africa
Mobile # 011 27 82 924 2203

*Delivered
Received by Hand
A. W. J. J. J.
Fri 25 Jan 2008
12h00.*

Re: Service of Bumbo

Dear Mr. Thuynsma:

We hope this correspondence finds you well. Thank you for assisting us with the service of legal papers in South Africa.

Enclosed please find for service several packages of documents regarding the cases *Lamm v. Bumbo* and *Whitson v. Bumbo*. Also enclosed please find a check in the amount of \$500 (U.S. Dollars) for your time and services. Please serve the materials at your absolute earliest convenience.

Lamm v. Bumbo

- 1) Summons
- 2) Complaint
- 3) Reassignment Order

Whitson v. Bumbo

- 1) Summons
- 2) Complaint
- 3) Order Setting CMC deadlines

The entity we need served in each case is "Bumbo (Pty) LTD.

Their address is:

212 Hardy Muller Street, Rosslyn
PO Box 3081 Rosslyn 0200
Gauteng, South Africa.

A 2/2

The directions to their facility and office are listed on their website as:

Corner of Hardie Muller & Frans du Toit in Roslyn Industrial, Pretoria

From Johannesburg Airport you travel North on the R21 (to Pretoria) until you get to the N1 North Turnoff - 30km

Drive until you reach the Zambezi Off ramp, then turn left into Zambezi Rylaan - ± 15km

Drive until you get to Lavender Road (T-Junction) - ±5km and then turn Right into Lavender road until you get to the Rosslyn turnoff ± 1km

Go straight on the Roslyn road until you get to Hardie Muller street - ±5km

Turn left in Hardie Muller Street and drive on straight and cross Frans du Toit street

Please go to the location described above, find an office setting and provide the enclosed documents to someone there. Please ask for the individual's name and title/position at the company. It is fine if it is simply the receptionist. Please make a note of the date, time, and person served, and provide that to us as soon as possible. We will then prepare a proof of service for your signature.

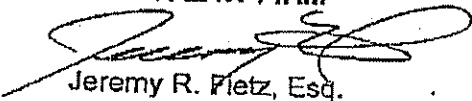
Please serve the documents as soon as possible.

If you have any questions you may contact the undersigned at 707-236-0088 at any time. You may contact us, and provide the service information to us, by email at: jeremy@classattorneys.com

We greatly appreciate your assistance in this matter.

Very truly yours,

EDGAR LAW FIRM


Jeremy R. Pletz, Esq.

Encl.

DATE: 25/1/2008
TIME:
NAME:
SIGNATURE: